

75-2b-103 Rebuttable presumptions.

In determining whether this chapter applies to specific property, the following rebuttable presumptions apply:

- (1) property acquired during marriage by a spouse of that marriage while domiciled in a jurisdiction under whose laws property could then be acquired as community property, is presumed to have been acquired as or to have become, and remained, property to which this chapter applies; and
- (2) real property situated in this state and personal property wherever situated acquired by a married person while domiciled in a jurisdiction under whose laws property could not then be acquired as community property, title to which was taken in a form which created rights of survivorship, is presumed not to be property to which this chapter applies.

Enacted by Chapter 132, 2012 General Session